

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO. 02-60176-CR-DIMITROULEAS

Plaintiff,

Vs.

RAFAEL DANIEL DE LA CRUZ JIMENEZ,

Defendant.


ORDER

THIS CAUSE is before the Court upon Defendant's *pro se* Motion for Extension of Time to File Notice of Appeal [DE-224], and Motion for Reconsideration [DE-225].

1. On November 2, 2023, this Court ordered that no reduction was appropriate under Part B of Amendment 821 [DE-219].
2. On November 17, 2023, Defendant dated a Notice of Appeal, postmarked on November 22, 2023. [DE-222]. He now also asks for an extension of time to file a Motion for Reconsideration.
3. The Motion for Extension of Time to file a Notice of Appeal [DE-222] is Denied, as Moot. The Motion for Extension of Time to file a Motion for Reconsideration [DE-224-1] is Dismissed. The Motion for Reconsideration [DE-225] is Denied. The fact that other district judges may have exercised discretion to grant relief under 18 U.S.C. § 3582 is not controlling on this Court. The Court has previously reviewed the factors in 18 U.S.C. § 3553(a) and denied relief [DE-172] and [DE-206]. Nothing has changed the Court's decision not to exercise discretion to grant relief.

4. The Clerk shall mail a copy of this order to the Defendant.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this
29th day of November, 2023.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

Counsel of Record

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